SOUTHERN DISTRICT OF NEW YORK	X	
SRINIVASA REDDY ELAVALA, et al.,	: :	
Plaintiffs,	:	23-CV-1037 (JMF)
-V-	:	<u>ORDER</u>
UNITED STATES OF AMERICA, et al.,	:	
Defendants.	:	
	X	

JESSE M. FURMAN, United States District Judge:

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On April 25, 2023, Defendants filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure, or alternatively, to transfer the case to the United States District Court for the District of Columbia under 28 U.S.C. § 1406(a). Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that Plaintiffs shall file any amended complaint by May 16, 2023. Pursuant to Paragraph 1.B. of the Court's Individual Rules and Practices in Civil Cases, available at https://nysd.uscourts.gov/hon-jesse-m-furman, any amended complaint should be filed with a redline showing all differences between the original and revised filing. Plaintiffs will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss.

If Plaintiffs do amend, by three (3) weeks after the amended complaint is filed, Defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that they rely on the previously filed motion to dismiss. If Defendants file an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot. If Defendants file a new motion to dismiss, any opposition shall be filed within fourteen days, and any reply shall be filed within seven days of any opposition.

If no amended complaint is filed, Plaintiffs shall file any opposition to the motion to dismiss by May 16, 2023. Defendants' reply, if any, shall be filed by May 23, 2023.

Finally, it is further ORDERED that the initial pretrial conference previously scheduled for September 28, 2023, is adjourned *sine die*.

SO ORDERED.

Dated: April 25, 2023

New York, New York

nited States District Judge